

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
At Chattanooga**

UNITED STATES OF AMERICA,

PLAINTIFF

V.

MATTHEW BROCK,

DEFENDANT

1:06-cr-75

JUDGE COLLIER

**MOTION FOR PERMIT TO TRAVEL FROM NORTHERN DISTRICT OF
GEORGIA TO AND IN THE EASTERN DISTRICT OF TENNESSEE WITHOUT
PRIOR APPROVAL OF PROBATION OFFICER**

The Defendant, Matthew Brock, by and through counsel, Hallie H. McFadden, moves this Court for an Order granting a travel permit authorizing Mr. Brock to travel freely between the Northern District of Georgia into and around the Eastern District of Tennessee. In support of this Motion, counsel for Mr. Brock would show that Mr. Brock was convicted in the Eastern District of Tennessee of four counts of bank fraud by judgment of this Court filed May 7, 2007. Mr. Brock was sentenced to 37 months confinement on each count to be served concurrently. Mr. Brock was further sentenced to five (5) years of Supervised Release upon his release from confinement. This Court ordered standard conditions of release, specifically: 1) the defendant shall not leave the judicial district without permission of the court or probation officer; and 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment. Upon his release, Mr. Brock's wife and children had

a residence on the Georgia side of Lookout Mountain. For this reason, the Court allowed his probation to be transferred to the Northern District of Georgia's probation office. Mr. Brock's wife is a teacher in the Hamilton County, Tennessee school system, and one of Mr. Brock's children attends the McCallie School in Chattanooga, Tennessee, both of which are in the Eastern District of Tennessee. Mr. Brock's spouse works full time and is frequently unable to perform many of the parental duties, many of which occur in the Eastern District of Tennessee. Mr. Brock's supervising probation officer has limited his travel to only within the Northern District of Georgia without prior approval, despite the fact that there are no such limitations in the Judgment itself. Consequently, before Mr. Brock can leave the Northern District of Georgia to pick up his child from school, or take him to an emergency doctor's appointment or school events, Mr. Brock must first receive prior approval from his probation officer. Such prior approval presents a tremendous hardship to Mr. Brock's family as one child is in school in Chattanooga, Mr. Brock's wife works in Chattanooga, they have family in the Eastern District of Tennessee and all of the families' treating physicians are also located in the Eastern District of Tennessee. Mr. Brock cannot afford to relocate his home at this time, but if the Court is not inclined to order that Mr. Brock be allowed to travel without prior approval within the Eastern District of Tennessee, Mr. Brock would ask the Court to allow him to relocate from the Northern District of Georgia to the Eastern District of Tennessee without prior approval (but upon giving the requisite 10 day notice pursuant to the Judgment) of his supervising probation officer.

WHEREFORE, Mr. Brock respectfully requests this Court issue an Order granting him a travel permit for travel to and within the Eastern District of Tennessee without prior approval from his supervising probation officer. In the alternative, Mr. Brock would request permission from this Court to relocate from the Northern District of Georgia to the Eastern District of Tennessee if the Court does not see fit to grant the requested travel permit.

Respectfully submitted,

Law Offices of
Hallie H. McFadden, P.C.

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on August 18, 2010, a copy of the foregoing Motion was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

/s/ Hallie H. McFadden